

CAREER AGENTS

A. Definition:

A Career Agent is an individual engaged by contract for the purpose of performing deep cover activities of a long term nature, outside the U.S., under durable cover, who, although not a Staff Employee of the Agency, is by virtue of his contract, an employee of the U.S. Government.

B. Recruitment:

Normally the Career Agent will be under legitimate cover, established prior to his engagement by the Agency or without Agency intervention.

C. Value to the Agency:

The distinctive value of the Career Agent to the Agency lies in the fact that his cover was established prior to the initiation of his association with the Agency and that he has blended or will blend with the local surroundings.

D. Term:

The Career Agents contemplated relationship to the Agency is of lengthy and indefinite duration. His subsequent conversion to Staff Employee is not contemplated or provided for in the initial arrangements.

E. Compensation:

The Career Agents salary will, in each case, be negotiated, but will be consistent insofar as practicable with that paid by government or industry for similar types of work. Recognition will be given to the fact that often the conditions of service will be unique and therefore not comparable to positions in government or industry. Contracts providing for salary in excess of that for grade GS-15 shall not be approved by the Special Contracting Officer unless the Deputy Director, concerned has personally approved such salary and the Deputy Director (Support) has concurred in writing. Contracts providing for salary in excess of that for grade GS-17 shall be processed in like manner and submitted to the Director for approval.

F. Benefits:

1. Leave:

Career Agents will accrue and accumulate annual and sick leave in accordance with the leave rates of their cover facility or in accordance with the rates of the Civil Service Leave system, but normal procedural requirements need not be met. The contract should

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specify the leave benefits which will apply, and may include provisions for cash payments in lieu of unused leave.

2. Retirement and Social Security Benefits:

A Career Agent will have Civil Service retirement deductions made on the basis of his CIA base salary. The contract will specifically provide that, when circumstances of his cover warrant or require his contribution for Social Security, such contribution will be at the Agent's expense and he will not be reimbursed therefor.

3. Allowances:

The Standardized Government Civilian Allowance Regulations will be used as a guide in establishing foreign post and similar allowances for Career Agents except when operational requirements necessitate that allowances be established in general conformance with the cover.

4. Travel:

The contract should stipulate the basis on which official travel, transportation of effects and dependents, and related expenses will be paid. In the case of transfers of station and movement of effects and dependents, the operating office will be required to issue a Travel Order, a copy of which must be furnished the Finance Division as an authorization for payment. The contract may provide for lump sum payments for travel with waiver of detailed accountings.

5. Injury, Disability, and Death Benefits:

The contract shall stipulate the sickness, injury, and death benefits which are applicable. However, by reason of the fact that a Career Agent is an employee of the Government, he will automatically come under the coverage of the Federal Employees' Compensation Act and Public Law 110. Career Agents may subscribe, if eligible, to hospitalization and life insurance plans which are available to Agency Employees.

6. Home Leave:

Career Agents may be granted home leave privileges in conformance with cover, or when not inconsistent with security, in accordance with the general provisions for home leave for Staff Agents. Specific statement of the provisions will be made in the contract.

7. Personal Losses:

Contract provision may be made for reimbursement for personal losses of money or property arising out of service to or assignment by the Agency.

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8. Special Allowances:

Special Allowances may be granted by the Deputy Director concerned to Career Agents to compensate for extraordinary expenses incurred because of cover conditions imposed by the Agency and not otherwise compensated under some other allowance.

9. Rehabilitation:

Provision may be made in the contract for rehabilitation of the Career Agent in a position of substantially the same professional level or in some other pursuit when return to his previous occupation would be impossible or inappropriate.

10. Tax Withholdings:

Taxes will be withheld on that portion of the Career Agents income derived from the Agency as well as on that portion derived from his cover. If no provision is made for withholding on that portion of his income derived from cover the Agency may also, if deemed appropriate, withhold taxes for the income received from his cover. The Agency will assist the Career Agent, when applicable in the covert filing of his Federal Income Tax Return.

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References:



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CONTRACT AGENTS

A. Definition:

A Contract Agent is a United States citizen or a foreign national engaged to perform operational activities (as distinguished from administrative or staff-type support duties) performed on a full or part-time basis, outside the United States. His legal relationship with the United States Government is that of an independent contractor, and, as such, his activities are not subject to the detailed supervision and control that may be exercised over appointed or contract employees. He is expected to accomplish, largely on his own initiative, specified objectives without regard to the number of hours per day or days per week the assignment may entail.

B. Recruitment:

Headquarters may engage a Contract Agent regardless of whether or not he is a U. S. Citizen or a foreign national. The Field may engage a Contract Agent only if he is a U. S. Citizen.

C. Duties and/or Types of Individuals Generally assigned this Category:

1. Operational in nature; outside the United States.
2. Normally assigned duties do not lend themselves to CIA control of the working relationship as to preponderant assignment, hours of work, place of employment, and other related factors.

D. Term:

Generally two years with provision for renewal.

E. Benefits:

Entitled to only those privileges, and benefits specifically provided for in the Agent's contract.

F. Leave:

As a general rule, Contract Agents will not be allowed to accrue or accumulate leave. In the unusual cases where it is decided to grant an Agent leave, the contract will stipulate that such leave may only be taken at times and places approved by the Agency and shall provide for appropriate accounting, consistent with Agency policy.

G. Compensation:

The salary of Contract Agents will, in each case, be negotiated but will be consistent insofar as practicable with that paid by government or industry for similar types of work. Recognition will be given to the fact that often the conditions of service will be unique and therefore, not comparable to positions in government or industry. Contracts providing for

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salary in excess of that for Grade GS-15 shall not be approved by the Special Contracting Officer unless the Deputy Director concerned has personally approved such salary and the Deputy Director (Support) has concurred in writing. Contracts providing for salary in excess of that for Grade GS-17 shall be processed in like manner and submitted to the Director for approval.

H. Overseas Compensation:

The contract may, when appropriate, grant additional compensation to offset additional overseas costs. The above compensation is taxable income.

I. Travel:

The basic remuneration figure determined with a Contract Agent may include compensation for such travel as he may be required to perform, or his contract may, if necessary, contain specific stipulations for the payment of travel and related expenses.

J. Injury, Disability, & Death Benefits:

The contract shall stipulate any sickness, injury, and death benefits which may be paid the individual or his survivors. Where necessary for contracting purposes and when compatible with security and eligibility requirements, the Contract Agent, if otherwise eligible, may subscribe to hospitalization and life insurance plans which are available to Agency employees. Other benefits, e.g., benefits similar to those of the Missing Persons Act, may be granted in the contract, where appropriate.

K. Home Leave:

As a general rule, no provision will be made for home leave for Contract Agents.

L. Social Security:

He is not entitled to Social Security Benefits or subject to deductions for Social Security since he holds the status of an independent contractor.

M. Tax Withholdings:

Contract Agents are subject to withholding taxes if they are required to file United States income tax returns; unless operational circumstances dictate to the contrary, taxes will be withheld.

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CONTRACT EMPLOYEE

A. Definition:

A Contract Employee is an individual employed on either a full or part time basis for the primary purpose of performing functions in support of operations in other than a ZI capacity. He normally works under controlled supervised conditions and is compensated on a time basis, i.e., by the hour, day, week, month, or year. While not an appointed employee of CIA, he has by virtue of his contract, an employee relationship with the U. S. Government. He is generally a U. S. Citizen but this is not necessarily a requirement for this type of employment.

B. Recruitment:

The Contract Employee may be recruited either in Headquarters or in the Field and his contract will be signed either by the Chief of Station of the Field installation or by the Special Contracting Officer at Headquarters.

C. Types of Individuals Generally Assigned to this Category:

1. Typists, Stenographers, Clerks
2. Interpreters
3. Translators
4. Case Officers
5. Non-U. S. Personnel performing support functions

D. Term:

Generally two years with provision for renewal. In unusual cases, indefinite contract may be negotiated, providing the contract contains a termination clause.

E. Compensation:

The rate of compensation for Contract Employees will be negotiated but will be consistent insofar as practicable with that paid by government or industry for similar types of work. However, recognition will be given to the fact that often the conditions of service will be unique. Contracts providing for salary in excess of that for Grade GS-15 shall not be approved by the Special Contracting Officer unless the Deputy Director concerned has approved such salary and the Deputy Director (Support) has concurred in writing. Contracts providing for salary in excess of that for Grade GS-17 shall be processed in like manner and submitted to the Director for approval.

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F. Benefits:

1. Leave:

He may accrue and accumulate annual and sick leave in accordance with the provisions of his contract. The contract may include provision for cash payments in lieu of unused leave.

2. Retirement:

Generally, Contract Employees will not have retirement deductions made from their salary and will not be under the Civil Service Retirement Act.

3. Social Security:

Contract Employees will be covered by social security benefits if they are U. S. Citizens. Employees covered by Social Security are not subject to coverage by Civil Service Retirement except in those cases where the individual is converted from a status covered by Civil Service Retirement to Contract Employee status. In these exceptions, Civil Service Retirement coverage must be provided.

4. Allowances:

The Standardized Government Civilian Allowance Regulations will be used as a guide in establishing foreign post and similar allowances for contract employees except when operational requirements necessitate that allowances be established in general conformance with cover. The contract must stipulate allowances payable.

5. Injury, Disability, and Death Benefits:

The contract shall stipulate the sickness, injury, and death benefits which are applicable. However, by reason of the fact that a Contract Employee is an employee of the Government, he will be entitled to benefits of the Federal Employees' Compensation Act and Public Law 110 and his contract shall so state. If a U. S. citizen, Missing Persons Act applies.

6. Insurance Benefits:

Contract employees may subscribe, if eligible, to life insurance and hospitalization plans which are available to Agency employees.

G. Travel:

The contract should stipulate the basis on which official travel, transportation of effects, and dependents, and related expenses will be paid. The contract should specify the type and degree of accountings which the individual will be required to render to obtain reimbursement for travel expenses.